IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPEAL NO.745 OF 2003

The State of Maharashtra ..Appellant
V/s.
Narayan @ Gopal Ganesh
Dakva ..Respondent.

Shri B.R. Patil, P.P. for the Appellant/State.

CORAM : S.B. MHASE &
ANOOP V.MOHTA, JJ.

DATE : 22ND NOVEMBER, 2004.

P.C.

. Heard Mr. Patil. It is eloquently clear that when the injured complainant was taken to the hospital after the incident, it is reported to the Medical Officer that the injured had fallen from the slab and he has suffered the injuries. Thereafter, witnesses have filed the complaint. Apart from this, there is no recovery of the weapon etc. No evidence brought on record by the prosecution to demonstrate that at the place of incident, the fall is not possible because there is no building. Taking into consideration the over all aspect, the trial Judge has acquitted the accused. The view is a possible one. No interference is called for. The leave to appeal is rejected.

. Parties concerned to act on a simple copy of this order, duly authenticated by the Registry of this Court.

[ANOOP V. MOHTA, J.] **[S.B.MHASE, J.]**